

REMARKS

By this response, Applicant provides an Amended Appeal Brief attached hereto, including a copy of the Board Decision in Appeal No. 2003-1308, for Application No. 09/287,176. See M.P.E.P. § 2105.03 (8th ed. Rev. 3 2005); 37 C.F.R. § 41.37(d). In response to number 4 checked on the Notification of Non-Compliant Appeal Brief, Applicant corrected the "Summary of Claimed Subject Matter" section of the Appeal Brief (pages 5-7). In the corrected version of this section, the independent claims are identified, and the page numbers and line numbers to the place in the specification defined in the independent claims are included.

With respect to number 5, Applicant corrected the "Grounds of Rejection" section (page 8) of the Appeal Brief. In the corrected version of this section, the title "Grounds of Rejection" was amended to "Grounds of Rejection to be Reviewed on Appeal", as indicated in the Notification of Non-Compliant Appeal Brief.

With respect to number 6, Applicant points out that starting on page 13 under the heading "Cotteret in view of Möckli" and starting on page 17 under the heading "Kao in view of Möckli," Applicant presented arguments for each ground of rejection on appeal under separate headings.

Finally, with regard to number 9, Applicant attached to the Amended Appeal Brief a copy of the Board's decision in the proceeding identified in the "Related Appeals and Interferences" section of the Appeal. Brief, i.e., a copy of the decision in Appeal No. 2003-1308 for Application No. 09/287,176

No further changes have been made. Accordingly, Applicant submits that the Amended Appeal Brief corrects the deficiencies in the original Appeal Brief filed on


December 20, 2005, and thus, the Amended Appeal Brief is now proper. Applicant respectfully requests reconsideration of this Amended Appeal Brief.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 13, 2006

By: 
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Attachment: Amended Appeal Brief including a copy of the Board Decision in Appeal No. 2003-1308, for Application No. 09/287,176.